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MICHAEL ROGERS  
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9 UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
10 OAKLAND DIVISION  
11

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 MICHAEL ARTHUR ROGERS,

16 Defendant.  
17

CR 10-00042 SBA

STIPULATION TO CONTINUANCE  
AND EXCLUSION OF TIME UNDER  
THE SPEEDY TRIAL ACT, 18 U.S.C. §  
3161 ET. SEQ.; ~~PROPOSED~~ ORDER

18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status  
19 hearing date of February 16, 2011 at 9:30 a.m., be vacated and re-set for March 2, 2011 at 9:30 a.m.,  
20 before the Oakland Duty Magistrate, for status hearing.

21 The reason for this request is that Ellen Leonida, the undersigned Assistant Federal Public  
22 Defender, is conducting investigation in this matter which cannot be completed prior to the  
23 currently scheduled hearing date.

24 The parties agree and stipulate that the time until March 2, 2011 should be excluded, under  
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2 U.S.C. §3161(h)(7)(A) because the ends of justice served by the granting of the continuance  
3 outweigh the best interests of the public and the defendant in a speedy and public trial. The  
4 continuance is necessary to accommodate counsel's preparation efforts.

5  
6 Date: February 14, 2011

/s/  
Ellen V. Leonida  
Assistant Federal Public Defender  
Counsel for defendant MICHAEL ROGERS

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9  
10 Date: February 14, 2011

/s/  
Trevor L. Rusin  
Assistant United States Attorney

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12 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/)  
13 within this e-filed document.

/S/ Ellen V. Leonida

ORDER

The court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial. The continuance is necessary to accommodate counsel's preparation efforts and continuity of counsel. Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matter is continued to March 2, 2011 at 9:30 a.m., before the Oakland Duty Magistrate, and that time is excluded until March 2, 2011 pursuant to 18 U.S.C. § 3161(h)(7)(a).

IT IS SO ORDERED.

February 16, 2011  
Date

  
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LAUREL BEELER  
UNITED STATES MAGISTRATE JUDGE